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Item 114 of the preliminary list*

JOINT INSPECTION UNIT

Note by the Secretary-General

In accordance with article 9, paragraph 2, of the statute of the Joint Inspection Unit (General Assembly resolution 31/192, annex), the Secretary-General has the honour to transmit to the members of the General Assembly the work programme of the Joint Inspection Unit for 1991 and the nucleus of its work programme for 1992-1993.

* A/46/50.

ANNEX

Work programme of the Joint Inspection Unit

The following work programme was drawn up in accordance with article 9, paragraph 1, of the statute of the Joint Inspection Unit, contained in the annex to General Assembly resolution 31/192 of 22 December 1976, and takes into account the guidelines laid out in General Assembly resolutions 42/218 of 21 December 1987, 43/221 of 21 December 1988, 44/184 of 19 December 1989 and 45/237 of 21 December 1990. The work programme is divided into two sections: section I lists the Unit's work programme for 1991, and section II indicates those studies which the Unit contemplates undertaking after the current year and broad themes which are being researched for shaping into specific studies. As hitherto, the work programme is subject to change in the course of the year; new studies may be added and planned studies may be modified, postponed or cancelled when circumstances warrant. Titles may be changed to reflect the new thrust of studies.

I. WORK PROGRAMME FOR 1991

1. Management and conference services (organization and methods, budget and finance, personnel, general administration)

(a) Organization of the buildings management function

The aim of the study is to present a comparative analysis of the administration and management of the buildings and facilities of certain organizations in the United Nations system and to draw conclusions therefrom.

(b) Status of internal evaluation in organizations of the United Nations system*

Fourth report on evaluation in the United Nations system*

Every four years, between 1977 and 1985, the Joint Inspection Unit has produced reports on the status of evaluation in the United Nations system. Progress made since then will be documented, earlier themes will be re-examined and new directions will be explored.

(c) Grade overlap

For several years there has been an overlap in salaries between General Service levels and the lower Professional categories in Rome. The study will investigate the reasons for that phenomenon in that duty

* Evaluation study.

station, and in others where it might occur, and will analyse its possible impact on staff recruitment, development, performance appraisal and promotion. Appropriate recommendations will be made.

(d) Staff rotation

The issue of staff rotation is of special concern to many organizations, in particular the United Nations and its affiliated operational entities in the field and the regional commissions. The purpose of the Unit's study will be to see how best an equitable rotation system can be established in consonance with an impartial implementation of United Nations staff regulation 1.2. Consultations will be held with the International Civil Service Commission throughout the conduct of the study.

(e) Advantages and disadvantages of the post system*

The Executive Board of the United Nations Educational, Scientific and Cultural Organization (UNESCO) has asked the Joint Inspection Unit to undertake a system-wide study of the post system. The study will review the reasons for introducing the post system, assess how it is working, and suggest modifications if necessary. The issues will be addressed from the perspectives of Member States, management and staff. Consultations will be held with the International Civil Service Commission throughout the preparation of the study.

(f) Purchase and utilization of the transport equipment of the United Nations Children's Fund

There has been a continuous increase in the procurement of vehicles and other means of transport by the United Nations Children's Fund (UNICEF) to a level where UNICEF considers a full review of both procurement policies and operations in this area to be vital. The Joint Inspection Unit, at the request of UNICEF, is undertaking such a review.

(g) Follow-up study on common services of organizations of the United Nations system at the Vienna International Centre

The Joint Inspection Unit prepared a study several years ago on common services at the Vienna International Centre. ^{1/} The main purpose of the study, in addition to examining the implementation of the recommendations made earlier, would be to see what, today, are the most rational ways and means to harmonize better the activities of the various United Nations entities in the light of changed circumstances since 1984 and discussions at the forty-fifth session of the General Assembly during consideration of agenda item 118 on the programme budget for the biennium 1988-1989.

- (h) United Nations Library, Geneva - the introduction of an integrated information system

The study will identify the elements of an integrated information system that would best serve the Geneva library as an institutional memory allowing fluid and easy access to its material. Appropriate recommendations for the establishment of such a system will be made.

- (i) Follow-up report on the Management Advisory Service of the United Nations*

In its report on management services in the United Nations system, 2/ the Joint Inspection Unit concluded that the Administrative Management Service of the United Nations (now the Management Advisory Service) was playing a useful management role in keeping with its mandate. The present study will review the performance of the Service since the issuance of the Unit's report in 1981.

- (j) Follow-up report on accommodation in the Economic Commission for Latin America and the Caribbean

Office accommodation, being in short supply, has always presented problems for the regional economic commissions. Document JIU/NOTE/87/2 dealt with a specific accommodation problem in the Economic Commission for Latin America and the Caribbean (ECLAC) and offered solutions to that problem which have been implemented. The present study will look at the wider problem of accommodation in the subregional offices of ECLAC.

- (k) Managing works of art in the United Nations system

Over the years, the United Nations and many of the specialized agencies have acquired important and valuable cultural properties. In many cases these have neither been valued, nor has a conservation policy been adopted for their protection. The study would identify the ingredients of a rational acquisition/de-acquisition policy and recommend an effective programme for the conservation of the cultural property of the organizations.

- (l) United Nations peace-making and peace-keeping operations

The study will review the role of the United Nations in the prevention and resolution of conflicts as evidenced by certain of its peace-keeping operations. The institutional, administrative and financial consequences of the role of the United Nations will be addressed, as well as the impact of those conflicts on development efforts, human rights and social progress.

2. Development cooperation

- (a) Technical and other cooperation between selected agencies of the United Nations system and development finance institutions, including the World Bank and regional development banks

The aim of the study is to examine the effectiveness of the coordination arrangements between selected agencies and organizations of the United Nations system and the development finance institutions, including the World Bank and the regional development banks. The study will focus on such aspects as programming procedures, joint project execution and coordination arrangements both at Headquarters and in the field. The findings and recommendations of the study will assist Member States in their endeavours to obtain greater coordination between agencies of the United Nations system and the finance institutions; they will also benefit the agencies and finance institutions in indicating areas where cooperation could be strengthened and the different technical assistance programmes harmonized.

- (b) A review of the specific development needs of small Member States and the responsiveness of the United Nations development system in meeting those needs

The study would suggest improved measures to identify activities corresponding to the needs and interests of small Member States. The study would be developed around three main issues: the mechanisms and channels developed by the United Nations system; how small Member States can better organize themselves to overcome the handicap of a shortage of human resources; and how such countries can ensure their effective presence and participation in United Nations activities, hampered as they are by limited human and financial resources.

- (c) The environmental focus of projects financed by the United Nations Development Programme*

The many factors that have a bearing on maintaining and enhancing the quality of the environment are interrelated and have begun to be seriously investigated from a multidisciplinary and global perspective in the wake of growing public concern about its deterioration. Specific problems such as the causes and effects of global warming, the degradation of natural resources, deforestation, desertification, soil erosion, toxic waste disposal, and ozone layer depletion are being addressed. This study would attempt to examine, through a number of case studies and field visits, how the United Nations system in general and those projects funded by the United Nations Development Programme (UNDP) in particular take into account environmental aspects during project identification, planning, implementation and evaluation. It would also examine the instruments and guidelines they use to address the environmental impacts of the projects at various stages of implementation.

(d) Technology transfer and the United Nations system*

In an increasingly technical world, the transfer of technology from the developed to the developing world is recognized as crucial to the transformation of the economies of the lesser developed countries. The present study would aim at assessing existing capacities within the United Nations system - institutional, financial, managerial - to deal with the transfer of technology.

(e) Technical cooperation and the use of national professional project personnel

The implications of the use of national personnel are not clear to everyone (executing agencies, financing agencies, recipient countries), even though this modality is increasingly being used. The study will attempt to delineate these implications, while defining the role of the several categories of national staff employed on projects vis-à-vis their colleagues in government services and among the international staff on projects.

(f) The revised round-table process

The objective of the study would be to review the system of UNDP round tables for the least developed countries, with a view to making recommendations that would enhance benefits for both donor and recipient countries. The scope of the study would include the examination of preparations, procedures and structures for the round-table negotiations, implementation procedures, the participation and role of specialized agencies, the mobilization of availability capacities of the United Nations system, as well as coordination arrangements.

(g) A comparative study of decentralization

The governing bodies of most United Nations system organizations have been calling for increased decentralization. Secretariats have responded in different ways based on their mandates, structures and budgets, among other influences. The aim of the study would be to move beyond conceptualization and organization and deal with the practical, operational problems of decentralization, such as delegation of authority, communications and information flow, staffing - rotation and training, maintaining programme coherence, feedback, Headquarters support and responsiveness.

(h) National execution of projects

The Governing Council of UNDP has emphasized that government execution (now broadened to national execution) and management of its projects should be the ultimate modality of all UNDP-supported projects. The modality has been studied, but there remains a need for greater understanding of this important method of carrying out projects,

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including the role of the specialized agencies of the United Nations in contributing to and enhancing this form of execution, the system's support to Governments, and the Governments' own acceptance of this modality at the operational level.

II. NUCLEUS OF THE WORK PROGRAMME FOR 1992-1993

Management and conference services (organization and methods, budget and finance, personnel, general administration)

(a) Review of the Economic Commission for Europe

The role and structure of the Economic Commission for Europe will be analysed in the light of the activities of other European regional economic organizations and in the context of recent events in the region.

(b) Early warning systems

The study will review the United Nations system's performance in providing early warning for emerging major issues in the economic, social and security areas.

(c) Coordination in the United Nations system

During preliminary work, the specific aspects of coordination, which the study will address, will be identified.

In addition to the three studies that have been identified above, several other themes are being researched for shaping into clearly defined studies. The areas of investigation include, but are not limited to, United Nations competitive examinations, inter-office telecommunications systems, staff compensation, resource allocation for evaluation and substantive research.

Notes

1/ See A/39/520 (JIU/REP/84/10).

2/ See A/36/296 (JIU/REP/81/3).



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Item 30 of the preliminary list*

COOPERATION BETWEEN THE UNITED NATIONS AND THE ORGANIZATION OF
AFRICAN UNITY

Letter dated 19 February 1991 from the Permanent Representative
of Luxembourg to the United Nations addressed to the
Secretary-General

I have the honour to transmit to you herewith the English and French texts of a statement on Ethiopia issued on 15 February 1991 by the European Community and its 12 member States (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly under item 30 of the preliminary list.

(Signed) Jean FEYDER
Ambassador
Permanent Representative

* A/46/50.

ANNEX

Statement on Ethiopia issued on 15 February by the
12 States members of the European Community

The Community and its member States welcome the opening of the port of Massawa and the successful start of the northern relief corridor and congratulate the two parties on having responded positively to the need to put the interests of the population of drought-stricken Eritrea before political considerations. They urge both sides to ensure that the operation can continue to develop successfully, and to endorse the need for the opening of the relief corridor to lead into the beginning of a peace process.

The Community and its member States call upon both parties to ensure that this process is advanced by the negotiations to be held shortly in Washington, D.C., under the auspices of the United States of America.

They further call upon both parties to demonstrate their sincerity, facing up to the heavy responsibilities that lie upon them, by addressing substantive issues in a constructive spirit. In this context, the Community and its member States recall their conviction that a just solution should be based on the principles of the unity and territorial integrity of Ethiopia, as well as the legitimate aspirations and distinct identity of the Eritrean people.



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INTERNATIONAL COOPERATION TO ADDRESS
AND MITIGATE THE CONSEQUENCES OF
THE ACCIDENT AT THE CHERNOBYL
NUCLEAR POWER PLANT
Item 88 of the preliminary list*

ECONOMIC AND SOCIAL COUNCIL
Second regular session of 1991
INTERNATIONAL COOPERATION TO
ADDRESS AND MITIGATE THE
CONSEQUENCES OF THE
ACCIDENT AT THE CHERNOBYL
NUCLEAR POWER PLANT

Letter dated 19 February 1991 from the Permanent Representative of
the Byelorussian Soviet Socialist Republic to the United Nations

I have the honour to transmit to you herewith a Declaration issued by the Supreme Soviet of the Byelorussian Soviet Socialist Republic on 6 February 1991 concerning the adoption at the forty-fifth session of the General Assembly of resolution 45/190 entitled "International cooperation to address and mitigate the consequences of the accident at the Chernobyl nuclear power plant".

I should be grateful if you would have this letter and its annex circulated as an official document, under the appropriate item of the agenda of the forty-sixth session of the General Assembly, and of the Economic and Social Council.

(Signed) Guennadi N. BURAVKIN
Ambassador
Permanent Representative of the
Byelorussian SSR to the United Nations

* A/46/50.

ANNEX

Declaration issued by the Supreme Soviet of the Byelorussian
Soviet Socialist Republic

On behalf of the Byelorussian people, the Supreme Soviet of the Byelorussian SSR expresses deep gratitude to the sponsors and all the States Members of the United Nations for the adoption, at the forty-fifth session of the General Assembly, of the resolution entitled "International cooperation to address and mitigate the consequences of the accident at the Chernobyl nuclear power plant".

The Byelorussian SSR was most severely affected by the disaster at Chernobyl, which constituted a national tragedy for our Republic. About 22.4 per cent of the territory of the Republic was contaminated by radiation, and 20 per cent of the population was in the contaminated area. The after-effects pose a real threat to the lives and health of hundreds of thousands of people, particularly children, and to the future of the Byelorussian identity.

As we see it, the moral and material support has profound significance: as a reflection of the new political thinking, as a reaffirmation of coordination among States on the basis of universal human values and humanitarian principles, and as a sign of the strengthening of the spirit of partnership and the development of new forms of international cooperation.

We are grateful to the Secretary-General of the United Nations, Mr. Javier Pérez de Cuéllar, for his personal attention to this matter and for his major contribution in intensifying international efforts and coordinating international initiatives to solve the many complex problems resulting from the disaster.

In expressing its sincere gratitude for the across-the-board assistance to the Byelorussian people, and the support by States, using the machinery of the United Nations, for our own national efforts to overcome that major calamity, the Supreme Soviet of the Byelorussian SSR is confident that in this new phase of international cooperation to address and mitigate the consequences of the accident at Chernobyl, the highly humanitarian principles of the aforementioned resolution will find practical expression through the participation of the world community.

We hope that the substantive focus of international solidarity will be on the most severely affected regions and their inhabitants, especially children, women, the elderly, the disabled and those who were involved in localizing the disaster and limiting its effects. The parliamentarians of the Byelorussian SSR appeal to the parliaments and Governments of States, intergovernmental and non-governmental organizations, the business, financial, scientific and religious communities, citizens' groups, funds, representatives of the mass media, fellow citizens, and all people of good will to respond without delay to the call made by the General Assembly at its forty-fifth session to provide appropriate moral support and practical assistance in emergency situations.

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For its part, the Supreme Soviet of the Byelorussian SSR, fully accepting its responsibility for the future of the Byelorussian nation, declares that it is determined to continue taking comprehensive national measures, and that it is prepared to continue participating in international programmes of cooperation and assistance to the population of the areas affected by the radiological and environmental disaster.

The Supreme Soviet of the Byelorussian SSR calls on the United Nations to proclaim 26 April the international day for the prevention of nuclear and other industrial or technological disasters. It hopes that the States Members of the United Nations will support the convening of a pledging conference for a Chernobyl fund to promote the appropriate activities of the United Nations system, to be held at United Nations Headquarters in New York on the occasion of the fifth anniversary of the accident at the Chernobyl nuclear power plant.



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INTERNATIONAL CO-OPERATION IN THE PEACEFUL USES OF OUTER SPACE

Letter dated 19 February 1991 from the Permanent
Representative of Argentina to the United Nations
addressed to the Secretary-General

I have the honour to inform you that certain fragments of a space object belonging, presumably, to the Soviet orbital station "Salyut-7" - "Cosmos-1686" have fallen over Argentine territory.

On 7 February 1991, the authorities of the Civil Defence Department of the Argentine Republic were notified by the people that many objects had fallen over various regions of the country. On the basis of subsequent investigations, and of the information provided by the Government of the Union of Soviet Socialist Republics at the request of the Argentine authorities, it was possible to establish that the fragments found possibly belonged to the above-mentioned orbital station. The Government of the Union of Soviet Socialist Republics reported also that the orbital complex was not carrying dangerous substances which might endanger people, property or the environment.

The description and situation of the fragments found up to the present are given in the annex to this letter.

At the appropriate time I shall inform you of the results of the ongoing work of seeking and recovering the fragments and evaluating possible damage, as well as the results of the work on more precise identification of the aforesaid space object.

* A/46/50.

A/46/92
English
Page 2

The present information is being given pursuant to article V, paragraph 1, of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.

I should be grateful if you would arrange for the text of this letter and its annex to be circulated as a General Assembly document under item 71 of the preliminary list.

(Signed) Jorge VAZQUEZ
Ambassador
Permanent Representative

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ANNEX

Situation and description of the fragments belonging presumably to
the "Salyut-7" orbital station and found in Argentine territory,
as of 13 February 1991

Entre Rios Province

Chañar District, Federación Department: One rectangular fragment of approximately 30 square centimetres; and another, tubular, fragment with a diameter of 3 metres.

Lucas Norte area: Two quadrangular fragments of 20 square centimetres, fallen on inhabited property.

Santa Fé Province

Capitán Bermúdez area: One circular fragment, 90 centimetres in diameter and 5 centimetres thick.

Firmat area: One metallic sphere, radius 50 centimetres.

La Pampa Province

Luan Toro area, Conhella Department: One sheet of 1 square metre, bearing the numbers 62-23-0-62-2-3.



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SECURITY COUNCIL
Forty-sixth year

QUESTION OF EAST TIMOR

Letter dated 20 February 1991 from the Permanent Representative of
Portugal to the United Nations addressed to the Secretary-General

Further to my letters of 28 November (A/45/57-S/21022) and 15 December 1989 (A/45/60-S/21028) and on instructions from my Government, I have the honour to convey to you the text of a note verbale handed to the Ministry for Foreign Affairs of Australia by the Ambassador of Portugal at Canberra on 11 February 1991 (see annex).

I would be grateful if you kindly arrange for the present letter and its annex to be circulated as an official document of the General Assembly, under item 105 of the preliminary list, and of the Security Council.

(Signed) Fernando REINO
Ambassador
Permanent Representative of Portugal
to the United Nations

* A/46/50.

ANNEX

Note verbale handed on 11 February 1991 to the Ministry for
Foreign Affairs of Australia by the Ambassador of Portugal
at Canberra

1. The Government of Portugal was informed that, on 9 February 1991, invoking the "Petroleum (Australia-Indonesia zone of co-operation) Act 1190", Article 2, a proclamation was issued aimed at commencing the aforesaid act thus showing that the "Treaty between Australia and the Republic of Indonesia on the zone of co-operation in an area between the Indonesian Province of East Timor and Northern Australia" signed on 11 December 1989, has been concluded.
2. On the same day, in Bali, the first meeting of the so-called "Ministerial Council", established in Part III of the "Treaty", took place, with the attendance of the Foreign Minister and of the Minister for Natural Resources of Australia. Apparently this marked, in ostensive and symbolic manner, the starting of the implementation of that "Treaty".
3. The Portuguese authorities have consistently lodged their diplomatic protests with the Government of Australia against the steps that Government has been taking with a view to negotiate, conclude and implement the above-mentioned "Treaty". The Embassy has the honour to call the Department's attention namely to the protests lodged on 19 September 1985, on 9 September and 28 October 1988, and still on 30 October and 13 December 1989.
4. In those protests the Portuguese Government pointed out namely that the negotiation, the conclusion and the implementation of such a "Treaty" with the Republic of Indonesia - a country that has militarily invaded the territory of East Timor and has persisted ever since with its illegal occupation, in defiance of the United Nations Security Council's and the General Assembly's relevant resolutions - constitutes a serious and blatant breach of international law.
5. Besides, independently of such a breach, in concluding and in starting the implementation of the "Treaty", Australia acts in contempt namely of its duties to respect the right of the East Timorese to self-determination, the territorial integrity of East Timor and the permanent sovereignty of that people over its natural resources which are, partially, the object of the agreement.
6. Moreover, Australia disregards Portugal's capacity as the administering Power of that non-self-governing territory and the exercise of the rights and obligations inherent to that capacity, as recognized by the United Nations, which continue to keep the item "Question of East Timor" inscribed on the agenda of their main bodies. Australia is thus further violating the obligations impeding upon it as a member of the international community and, in particular, those undertaken upon ratifying the Charter of the United Nations, of which Australia was one of the founding countries.

Also, Australia precluding any negotiation with Portugal concerning the exploration and exploitation of the natural resources located in the "Timor-Gap's" continental shelf, has infringed the duty incumbent upon it to negotiate with Portugal regarding matters of common interest and shared capacity.

7. Under the auspices of the United Nations Secretary-General, talks are proceeding concerning the question of East Timor. The concluding and the starting of the implementation of the "Treaty" interferes with and goes against the mediation efforts, tirelessly and patiently exercised by the Secretary-General, aiming at reaching a comprehensive settlement for that question, as provided for by the General Assembly in its resolution 37/30 of 23 November 1982.

8. Through the procedures referred to above, Australia has repeated, completed and aggravated the violation of international law and some of the fundamental principles that shall govern the relationship among States.

Portugal, therefore, lodges its strongest protest with the Government of the Commonwealth of Australia and restates that it reserves itself the right to resort to all legal means it will consider as convenient to uphold the legitimate rights of the East Timorese.



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QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST
IRAQI AGGRESSION AND THE CONTINUED
OCCUPATION OF KUWAIT IN FLAGRANT
VIOLATION OF THE CHARTER OF THE
UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Letter dated 21 February 1991 from the Permanent Representative of
Egypt to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the statement issued after the joint meeting of the Ministers for Foreign Affairs of the member States of the Bureaux of the Fifth Islamic Summit Conference and the Nineteenth Ministerial Conference and of the States chairing the standing committees of the Organization of the Islamic Conference, which was held at Cairo on 21 February 1991.

I would be grateful if you would kindly circulate this letter and its annex as an official document of the General Assembly under items 33, 35 and 46 of the provisional agenda of the forty-sixth session of the General Assembly, and as an official document of the Security Council.

(Signed) Amre MOUSSA
Ambassador
Permanent Representative

* A/46/50.

ANNEX

The closing statement issued after the joint meeting of the Ministers for Foreign Affairs of the member States of the Bureaux of the Fifth Islamic Summit Conference and the Nineteenth Conference of Islamic Foreign Ministers and of the member States chairing the standing committees of the Organization of the Islamic Conference, which was held at Cairo, in the Arab Republic of Egypt, on 6 Sha'ban 1411 A.H., corresponding to 21 February 1991

1. The joint meeting of the Ministers for Foreign Affairs of the member States of the Bureaux of the Fifth Islamic Summit Conference and the Nineteenth Conference of Islamic Foreign Ministers and of the member States chairing the standing committees of the Organization of the Islamic Conference was held at Cairo, in the Arab Republic of Egypt, on 6 Sha'ban, corresponding to 21 February 1991, to discuss the situation in the Gulf region and the role of the Organization of the Islamic Conference in settling the Iraqi-Kuwaiti dispute arising from the Iraqi occupation of Kuwait.
2. The meeting was attended by the Ministers for Foreign Affairs and the heads of the delegations of the following member States:

Egypt, Gabon, Kuwait, Maldives, Pakistan, Palestine, Kingdom of Saudi Arabia, Senegal and Turkey. This meeting was not attended by the Kingdom of Morocco.
3. The meeting took note of the contents of the report submitted by H.E. Dr. Hamid Algabid, Secretary-General of the Organization of the Islamic Conference, concerning the follow-up and implementation of the resolutions contained in the special declaration concerning the Iraqi occupation of Kuwait, which was issued by the Nineteenth Conference of Islamic Foreign Ministers, held at Cairo in the Arab Republic of Egypt from 9 to 14 Muharram 1411 A.H., corresponding to 31 July-5 August 1990.
4. After an extensive study of the present situation prevailing in the Gulf region, particularly in the light of the events that are currently taking place, the meeting decided that the invasion, occupation and annexation of the State of Kuwait by the Republic of Iraq had thrust the region, the Islamic nation and the world as a whole into a serious crisis with immeasurable consequences.
5. The meeting noted, with great bitterness, that the crisis resulting from the invasion and occupation of Kuwait by Iraqi forces had led to a large-scale armed conflict with devastating and momentous consequences for mankind and the human environment. Moreover, the exile and cruel sufferings that had been imposed on the Kuwaiti people, as well as the mass emigration of hundreds of thousands of workers from Iraq and Kuwait, the loss of human life and the destruction of social and economic institutions in both Iraq and Kuwait, constituted far-reaching dimensions of the disaster that had been brought about by the presence of Iraqi armed forces in Kuwait.

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6. The meeting strongly condemned the invasion and continued occupation of the State of Kuwait by the armed forces of the Republic of Iraq as an act incompatible with the principles of the Charter of the Organization of the Islamic Conference, Islamic values and the rules of international law. It emphasized the content of the declaration concerning the situation between Iraq and Kuwait, which was adopted by the Nineteenth Conference of Islamic Foreign Ministers, as well as the final declaration issued after the annual coordinating meeting of the Ministers for Foreign Affairs of the member States of the Organization of the Islamic Conference, which was held at the United Nations in New York on 12 Rabi I 1411 A.H., corresponding to 1 October 1990, and the declaration issued after the joint meeting of senior representatives of the member States of the Bureaux of the Fifth Islamic Summit and the Nineteenth Conference of Islamic Foreign Ministers, which was held at Jedda on 22 Jumada II 1411 A.H., corresponding to 8 January 1991.

7. The meeting commended the numerous endeavours that had been made by the international community, jointly and severally, to contain the crisis since its outbreak and to help to find a peaceful solution thereto. It expressed its deep regret that Iraq had failed to respond to the appeals and entreaties which had been made to it by the Islamic nation and the world as a whole, and also that Iraq had chosen to defy them through its stubborn refusal to comply with Islamic and international law by withdrawing its forces from the State of Kuwait so that the latter country's legitimate Government could be restored.

8. With regard to the declaration issued by the Iraqi Government on 29 Rajab 1411 A.H., corresponding to 15 February 1991, the meeting once again stressed the fact that the immediate, full and unconditional withdrawal of the Iraqi forces from Kuwaiti territory, the restoration of the legitimate Government, headed by His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, Amir of the State of Kuwait and current President of the Fifth Islamic Summit Conference, and a full commitment on the part of Iraq to respect the relevant resolutions of the Security Council and the Organization of the Islamic Conference, as well as the principle of good-neighbourliness, constituted a fundamental and imperative precondition for a political settlement of the crisis.

9. The meeting reaffirmed all the resolutions of the Islamic Summits and the Conferences of Islamic Foreign Ministers, concerning Palestine, and also re-emphasized the following facts:

Their States, which had made tremendous sacrifices and had provided ongoing moral, political and diplomatic support, in spite of all the challenges and obstacles, affirmed their continuing support for the heroic uprising of the Palestinian people living under occupation.

The member States affirmed their Islamic and historic commitment to the legitimate national rights of the Palestinian people, including the latter's inalienable right to exercise self-determination and to establish its State on its national soil.

Their commitment to the quest for a peaceful, just, comprehensive and lasting settlement of the question of Palestine outweighed any other consideration within the context of an international peace conference.

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10. The meeting deplored Iraq's stubborn refusal to abide by Islamic and international law and denounced Iraq's attempts to link a solution to the crisis resulting from the occupation of Kuwait to other questions. The meeting stressed that the question of Palestine was a national responsibility of all Arabs and Muslims. Consequently, it deplored the Iraqi regime's attempts to exploit the question of Palestine in order to justify its invasion of Kuwait and its displacement of the latter's people, as well as hundreds of thousands of workers in that country, including Palestinians.

In the light of Iraqi practices, the meeting affirmed that regime's ineligibility to undertake any action to solve the region's problems and emphasized the spurious and invalid nature of its allegations concerning the role that it was playing as the defender of Arab and Islamic causes.

11. The meeting expressed its appreciation for the sacrifices that had been made by the countries and peoples of the region in order to counter the aggression and withstand its effects. In this connection, the meeting also stressed the solidarity of the member States of the Organization of the Islamic Conference with the Government and people of the State of Kuwait, the Kingdom of Saudi Arabia and the other States and peoples of the region in the face of the cruel and unjust ordeal with which they had been afflicted. The meeting affirmed the member States' commitment to the liberation of Kuwait, the restoration of its legitimate Government and support for the endeavours of the Gulf States to maintain and defend the security and stability of the region.

12. The meeting emphasized that stability in the Gulf region necessitated respect for the inviolable and universally recognized borders of all the States of the region, as they were before the beginning of the crisis.

13. The meeting took note of the apprehensions expressed by the international community and stressed the need to prohibit the use of chemical, biological and nuclear weapons. The meeting also emphasized the need for full respect for the rules of Islamic law, the provisions of the Geneva Conventions and the other principles of international humanitarian law.

14. The meeting called upon the international community as a whole to continue contributing to the achievement of these objectives in a manner consistent with the requirements of Islamic and international law.

15. In addition to the settlement of the present crisis in the Gulf, the meeting called upon the member States to begin the process of giving serious thought, within the context of joint Islamic action, to ways and means to promote security and cooperation in the Islamic world. This process must include the political, economic, social, cultural and other aspects and endeavours must be made to establish peace and security on a firm footing throughout the Islamic world. The objectives of cooperation and solidarity, which had been clearly defined in the historic Makkah Declaration, must also be put into practice in a tangible manner. In this connection, the meeting welcomed the endeavours that had been made by the member States of the Gulf Cooperation Council and other Islamic States.

16. The meeting declared that it shared the real distress felt by millions of Muslims throughout the world at the cruel ordeal that had been imposed on the peoples of the Gulf region, which contained their holiest places, due to Iraq's unjustifiable refusal to withdraw from Kuwaiti territory and respect the independence, sovereignty, security and territorial integrity of the other States of the region. The meeting expressed its hope that the day would come when Iraq would return to the ranks of the Islamic nation and act in concord with the peoples of the Gulf region and all other Islamic peoples in order to achieve the legitimate aspirations of the Muslims in regard to justice, freedom, peace and progress.

17. The meeting expressed its deep gratitude to the Arab Republic of Egypt for hosting this meeting and for the hospitable manner in which President Muhammad Hosni Mubarak, President of the Arab Republic of Egypt, had received the heads of delegations as a token of his desire to promote the spirit of Islamic solidarity at this crucial stage in the history of the Islamic world.



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Forty-sixth session
Items 31 and 99 of the preliminary list*

THE SITUATION IN CENTRAL AMERICA: THREATS TO INTERNATIONAL PEACE AND SECURITY AND PEACE INITIATIVES

HUMAN RIGHTS QUESTIONS

Letter dated 26 February 1991 from the Permanent Representative
of Luxembourg to the United Nations addressed to the
Secretary-General

I have the honour to transmit to you herewith the Declaration on Nicaragua issued on 26 February 1991 by the 12 States members of the European Community (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the General Assembly under items 31 and 99 of the preliminary list.

(Signed) Jean FEYDER
Ambassador
Permanent Representative

* A/46/50.

91-06467 2162h (E)

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ANNEX

Declaration on Nicaragua issued on 26 February 1991 by the
12 States members of the European Community

On the occasion of the first anniversary of the elections that made possible, in a democratic fashion, a change of government in Nicaragua, the European Community and its member States reiterate their support for pluralist democracy in that country and throughout Central America.

They express their conviction that the Central American countries will continue to display their determination to attain fully the objectives of the regional peace process through national reconciliation and the respect and promotion of human rights.



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HUMAN RIGHTS QUESTIONS

Letter dated 27 February 1991 from the Permanent Representative of
Luxembourg to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the Statement on Albania issued on 26 February 1991 by the 12 States members of the European Community (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as an official document of the General Assembly under item 99 of the preliminary list.

(Signed) Jean FEYDER
Ambassador
Permanent Representative

* A/46/50.

91-06683 2324d (E)

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ANNEX

Statement on Albania issued on 26 February 1991 by the
12 States members of the European Community

In view of recent events in Albania, the Community and its member States recall their strong interest in the development of the process of democratization in that country, as it takes shape against the background, in particular, of the free elections scheduled for 31 March.

The Community and its member States give their encouragement to any progress towards democracy in accordance with the principles of the rule of law and call upon the Albanian authorities to do nothing which could compromise the movement towards reform.



General Assembly Security Council

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S/22285
28 February 1991

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GENERAL ASSEMBLY
Forty-sixth session
Item 105 of the preliminary list*
QUESTION OF EAST TIMOR

SECURITY COUNCIL
Forty-sixth year

Letter dated 28 February 1991 from the Permanent
Representative of Portugal to the United Nations
addressed to the Secretary-General

Further to my letter of 20 February 1991 (A/46/93-S/22249), and on instructions from my Government, I have the honour to convey to you the text of a letter handed to the Minister for Foreign Affairs of Australia by the Ambassador of Portugal at Canberra on 22 February 1991 (see annex).

I should be grateful if you would kindly arrange for the present letter and its annex to be circulated as an official document of the General Assembly, under item 105 of the preliminary list, and of the Security Council.

(Signed) Fernando REINO
Ambassador of Portugal
Permanent Representative to
the United Nations

* A/46/50.

ANNEX

Letter handed on 22 February 1991 to the Minister
for Foreign Affairs of Australia by the Ambassador
of Portugal at Canberra

Upon instructions from my Government, I have the honour to kindly request your attention to the following:

The Portuguese Government is aware that Australia is on the way of extending the exploration for and the exploitation of the natural resources of the Timor Sea's subsoil, as well as the practice of related acts of jurisdiction, closer to East Timor's coastline, inside the area known as "Timor Gap", located between East Timor's southern coast and Australia's northern coast. Those activities are supposed to be undertaken beyond the median line, every point of which is equidistant from the nearest points of the baselines from which the breadths of the respective territorial seas are measured. Besides, those activities are also expected to be carried out in the very inside of the so-called "Timor Trough", situated close to the Timor coastline.

This extension is based on a bilateral instrument, concluded not with Portugal, the administering Power of the non-self-governing territory of East Timor, recognized as such by the United Nations, but with a third country instead, any negotiation with Portugal having been precluded.

The Portuguese Government is of the opinion that the negotiation, the signature, the ratification and the implementation of the Australian-Indonesian "Treaty", signed on 11 December 1989, constitute a very serious violation of some of the most basic rules of international law, namely, those pertaining to the right to self-determination of peoples, to the territorial integrity of non-self-governing territories and to the permanent sovereignty of peoples over their natural resources. Moreover, they plainly disregard the Charter of the United Nations and the authority assigned to its main bodies. This has been consistently made known to the Australian Government.

Besides this, the Portuguese Government considers that, even independently of their title, the exploration for and the exploitation of the natural resources located in "Timor Gap's" continental shelf, be it direct or indirect, alone or together with any other country, are abusive and illicit without Portugal's consent, taking into account its capacity as the administering Power of East Timor. In fact, they violate also the rights provided to the territory of East Timor under the provisions of article 2 of the Convention on the Continental Shelf, done at Geneva on 29 April 1958. The same applies to any act of jurisdiction related to that exploration or exploitation, as well as to the collection of any revenues deriving from them. It is also the Portuguese Government's understanding that all the acts and activities described above undertaken beyond the median line, every point of which is equidistant from the nearest points of the baselines from which the breadths of the territorial seas of East Timor and Australia are measured, constitute a violation of those rights.

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As a matter of fact, Portugal has always affirmed and still affirms, that, under the provisions of article 1, complemented by international custom, and of article 6, paragraph 1, of the Convention on the Continental Shelf, done at Geneva, on 29 April 1958, the boundary of the continental shelf appertaining to East Timor and to Australia is and shall continue to be the median line, every point of which is equidistant from the nearest points of the baselines from which the breadths of the respective territorial seas are measured. In accordance with the provisions of the aforesaid article 6, paragraph 1, of the Convention on the Continental Shelf, done at Geneva, on 29 April 1958, article 1, paragraph 3, of "Decreto-Lei" 49.369, of 11 November 1969, extended to East Timor on 22 November 1969, and still in force, states that: "unless an agreement has been concluded with a State whose coasts are adjacent or opposite to those of the Portuguese State, and providing that no special circumstances justify a different boundary line, the boundary of the continental shelf is the median line, every point of which is equidistant from the nearest points of the baselines from which the breadths of the respective territorial seas are measured".

Portugal, in its capacity as administering Power of the non-self-governing territory of East Timor, is obliged, under the provisions of Article 73 of the Charter of the United Nations, to promote to the utmost, within the system of international peace and security established by the Charter, the well-being of the inhabitants of that territory. It is therefore also incumbent upon it the responsibility of defending and promoting the rights of the East-Timorese. Thus, Portugal, in addition to what it has already stated before, namely, through the verbal note of protest handed over to the Department of Foreign Affairs on 11 February 1991, hereby notifies the Australian Government that:

The exploration for and the exploitation of the natural resources of the Timor Sea's seabed and subsoil, in the area known as "Timor Gap", as well as any other connected activities, carried out directly or indirectly, alone or together with any other country, including the practice of related acts of jurisdiction or the collection of any revenues deriving from them, undertaken beyond the above-mentioned median line (and, in all cases, when extended to where Australia has announced its intention to undertake them), without Portugal's consent and not even with any attempt to negotiate the matter with Portugal, constitute, furthermore, a violation of the rights provided to the territory of East Timor under the provisions of article 2 of the Convention on the Continental Shelf of 29 April 1958.

Portugal and Australia are both parties to the Convention on the Continental Shelf, done at Geneva, on 29 April 1958, as well as to the Optional Protocol of Signature concerning the compulsory settlement of disputes arising out of the interpretation or application of any article of any convention on the law of the sea, of 29 April 1958, whose article 3 reads as follows:

"The parties may agree, within a period of two months after one party has notified its opinion to the other that a dispute exists, to resort not to the International Court of Justice but to an arbitral tribunal. After the expiry to the said period, either party to this Protocol may bring the dispute before the Court by an application."

/...

In accordance with and for the purposes of the aforesaid article 3, the Portuguese Government, in the fulfilment of its duties as the administering Power of the non-self-governing territory of East Timor and, namely, in the defence of the rights of its people, hereby notifies the Australian Government that:

(a) It considers that the boundary of the continental shelf appertaining to East Timor and to Australia, in the area known as "Timor Gap", is and shall continue to be the median line, every point of which is equidistant from the nearest points of the baselines from which the breadths of the respective territorial seas are measured;

(b) It considers that the exploration for and the exploitation of the Timor Sea's seabed and subsoil in the area known as "Timor Gap", as well as any other connected activities, carried out by the Government of Australia, directly or indirectly, alone or together with any other country, including the practice of related acts of jurisdiction or the collection of any revenues deriving from them, beyond the above-mentioned median line (and, in all cases, when extended to where Australia has announced its intention to undertake them), without Portugal's consent and not even with any attempt to negotiate the matter with Portugal, constitute a violation of the rights provided to the territory of East Timor under the provisions of article 2 of the Convention on the Continental Shelf of 29 April 1958;

(c) It considers that a dispute exists between Australia and Portugal concerning the questions referred to above, questions which concern the interpretation and the application of articles 1, 2, and 6, paragraph 1, of the Convention on the Continental Shelf of 29 April 1958.

As a consequence of the existence of the aforesaid dispute between Australia and Portugal, the Portuguese Government proposes to the Australian Government that negotiations be held aiming at agreeing upon a mutually acceptable form of settlement of the dispute. This would not, of course, be detrimental to the holding of negotiations on the very substance of that dispute, which have been hitherto precluded by the Australian Government.

The Portuguese Government reserves itself the right to bring the entire dispute referred to above before the International Court of Justice, or a part of that dispute, as provided by article 3 of the above-mentioned Optional Protocol of 20 April 1958. This cannot be construed as a renunciation to any other rights or to the possibility of resorting to the Court to uphold them.

My Government will forward a copy of this note to the Secretary-General of the United Nations, taking into account the provisions of Chapter XI of the Charter and also the mandate entrusted to him by General Assembly resolution 37/30 of 23 November 1982.



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S/22297
1 March 1991

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GENERAL ASSEMBLY
Forty-sixth session
Items 36 and 67 of the preliminary list*
LAW OF THE SEA
STRENGTHENING OF SECURITY AND CO-OPERATION
IN THE MEDITERRANEAN REGION

SECURITY COUNCIL
Forty-sixth year

Letter dated 1 March 1991 from the Permanent Representative of Turkey
to the United Nations addressed to the Secretary-General

I have the honour to refer to the letter of the Permanent Representative of Greece dated 19 February 1991 (A/46/87-S/22243) in which he quotes two sentences from a speech delivered by President Turgut Ozal and goes on to draw conclusions about Turkey's foreign policy on the basis of this quotation derived from a newspaper report.

If the Permanent Representative of Greece had quoted President Ozal's speech more thoroughly, instead of quoting from it selectively, it would have become evident that the theme of this speech was a description of Turkey's peaceful foreign policy, its desire to maintain friendly relations with all of its neighbours, and a reaffirmation of Turkey's determination and ability to stand up to any foreign threat directed at its security. In fact, in the paragraph preceding the passage quoted by the Permanent Representative of Greece, President Ozal had reiterated that Turkish policy towards its neighbours derived its inspiration from the guiding principle of Turkey's foreign policy, which is, Peace in the World.

It has been stressed on all occasions that Turkey does not threaten Greece and has no designs on Greece's territorial integrity. Turkey's policies towards Greece clearly demonstrate this. The objective of Turkey's policies *vis-à-vis* Greece is the establishment of friendly relations based on good-neighbourliness and cooperation. That is why Turkey favours the resolution of outstanding bilateral issues through dialogue and negotiations.

* A/46/50.

Greece, on the other hand, has created an artificial Turkish threat and is using this imaginary threat to pursue a policy of hostility towards Turkey. This hostile Greek policy is manifested in all international forums. The document A/46/87-S/22243 is yet another instance of this hostile policy. The motive behind Greece's policy of hostility is the knowledge that Turkey will not allow Athens to pursue its expansionism in the Aegean Sea. This expansionism is a fundamental element of instability and constitutes a threat to the region's peace and security.

As riparian States, both Greece and Turkey have rights and interests in the Aegean Sea. By expanding the breadth of its territorial waters, Greece would like to extend Greek sovereignty over the high seas, the international airspace of the Aegean as well as over the as yet undemarcated continental shelf. If successful, such a policy would clearly violate the principles of equity, given the special configuration of the Aegean Sea. This would be so because the Aegean is a semi-enclosed sea with over three thousand Greek islands. As a consequence, approximately one half of the Aegean Sea is already under Greek sovereignty. If Greece were to expand its territorial waters beyond the present six-mile limit, the Aegean Sea would become a sort of Greek lake with practically no international waters left. This would deprive Turkey of fishing and other rights which it has enjoyed over the centuries and would completely upset the present balance of rights between the two riparian States of the Aegean Sea. Obviously, Turkey cannot accept this. Any action of this kind by one country which would seriously affect the interests of another country and which would result in a grave injustice would constitute a clear case of abuse of right. Were Greece to attempt to carry out such a fait accompli, this would drastically restrict the rights and interests not only of Turkey, but of third countries as well.

Turkey has made known on numerous occasions that an expansion by Greece of its territorial waters in the Aegean Sea would bring about very serious consequences. In such circumstances, Turkey would not hesitate to take whatever measures are necessary to safeguard its rights and interests.

Taking advantage of the Gulf crisis, Greece has proceeded with the militarization of the eastern Aegean islands in clear contravention of international treaties. It has also falsified the number of its AMX-30 tanks in the notifications that it has to submit under the Conventional Armed Forces in Europe Treaty, with the intention, presumably, of secretly redeploying these tanks. These sinister actions suggest that Greece might be contemplating some new fait accompli in the Aegean Sea.

It was against this background that President Ozal felt the need to state, once again, that Turkey would not allow Greece to engage in expansionist adventures in the Aegean.

A/46/98
S/22297
English
Page 3

I would be grateful if you could have this letter circulated as a document of the forty-sixth session of the General Assembly, under the same items as document A/46/87-S/22243, namely, items 36 and 67 of the preliminary list, and of the Security Council.

(Signed) Mustafa AKSIN
Ambassador
Permanent Representative



General Assembly

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Forty-sixth session
Item 99 of the preliminary list*

HUMAN RIGHTS QUESTIONS

Letter dated 28 February 1991 from the Permanent Representative
of Luxembourg to the United Nations addressed to the
Secretary-General

I have the honour to transmit to you herewith the text, in French and English, of the statement on Thailand issued by the European Community and its 12 member States on 26 February 1991.

I should be grateful if you would kindly circulate the text of this letter and its annex as a document of the forty-sixth session of the General Assembly, under item 99 of the preliminary list.

(Signed) Jean FEYDER
Ambassador
Permanent Representative

* A/46/50.

ANNEX

Statement on Thailand issued on 26 February 1991 by
the European Community

The Community and its member States have been deeply disturbed to learn the news of the military coup d'état on 23 February in Thailand. Opposed to all illegal use of force, they condemn the suspension of the Constitution, the dissolution of the Parliament that was democratically elected on 24 July 1988, the dismissal of the Government and the establishment of martial law.

They call on the military personnel who have seized power to return it to those who have been duly elected and who represent the popular will, so that democracy can be restored.

The Community and its member States consider that only a democratic Thailand will be in a position to play fully the constructive role to which it is called in the interests of peace and development in the region of South-East Asia.
